

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Washington Airports District Office, 101 West Broad Street, Suite 300, Falls Church, Virginia 22046.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to David E. Blain Airport Manager at the City of Lynchburg, Virginia at the following address: 4308 Wards Road, Suite 100, Lynchburg, Virginia 24502-3532.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the City of Lynchburg, Virginia under section 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Mendez, Manager, Washington Airports District Office, 101 West Broad Street, Suite 300, Falls Church, Virginia 22046.

The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Lynchburg Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

On December 29, 1995, the FAA determined that the application to impose and use the revenue from a PFC submitted by the City of Lynchburg was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 15, 1995.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: July 1, 1995.

Proposed charge expiration date: June 30, 1999.

Total estimated PFC revenue: \$921,000.

Brief description of proposed project:

- Purchase ARFF Equipment
- Upgrade Airfield Signage
- Remove Obstruction, Runway 17/35 Approach Zone
- Master Plan
- FAR 107.14 Airfield Security
- Purchase Handicap Lift
- Rehabilitate Runway 3/21 Lights
- Land Acquisition Noise Mitigation
- Land Acquisition Part 77
- Overlay Runway 17/35
- Purchase Snow Blower (Impose Only)
- Construct Snow Equipment Maintenance Building (Impose Only)

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators (ACTO) Filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Fitzgerald Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Lynchburg Regional Airport.

Issued in Jamaica, New York State on February 28, 1995.

**Anthony P. Spera,**

*Acting Manager, Airports Division, Eastern Region.*

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BILLING CODE 4910-13-M

## Federal Railroad Administration

### Petition for Exemption or Waiver of Compliance

In accordance with Title 49 CFR §§ 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received requests for exemptions from or waivers of compliance with a requirement of its safety standards. The individual petitions are described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being requested.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number RSOP-94-4) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590. Communications received before April 10, 1995, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All

written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590.

The individual petitions seeking an exemption or waiver of compliance are as follows:

American President Lines, Limited and APL Land Transport Services, Inc. (APL) (Waiver Petition Docket Number RSOP-94-4)

The American President Lines, Limited and the APL seek a permanent waiver of compliance with certain provisions of the Railroad Operating Practices regulation (49 CFR Part 218) for derail and blue signal requirements. APL is seeking relief from the requirements of § 218.29(c)(1) which states: "(c) Except as provided in paragraphs (a) and (b) of this section, when workers are on, under, or between rolling equipment on any track, other than main track: (1) A derail capable of restricting access to that portion of the track on which such equipment is located, will fulfill the requirements of a manually operated switch when positioned no less than 150 feet from the end [of] such equipment \* \* \*"

A new container port facility and rail yard, which will be operated by an APL subsidiary, are being designed and built by the Port of Los Angeles. The new facility is designed to load and unload intermodal trains and is expected to be occupied by the first quarter of 1997. The yard will have the capacity to store up to 78 stack train cars with each such car being a maximum of 337 feet long. There will be 10 parallel spur tracks entering the yard from the north-end with a single run-around track to the north of the working tracks. The 10 spurs are arranged in sets of two parallel tracks which will be serviced by gantry cranes for loading and unloading. The 10 spurs rejoin at the south-end to service a single spur which runs along the wharf structure to a "dead end." In the center of the yard is a 70-foot wide crossing aisle that divides each spur. On each side of the aisle, APL plans to load and unload three to five stack cars on each of the 10 tracks. The 10 tracks will each be about 2,800 feet in length, and the yard will be approximately 3,700 feet in length by 500 feet in width. APL intends to load or unload trains on all 10 spurs simultaneously. To protect its workmen, APL plans to install blue lights and derailleurs 5 feet beyond the edge on both sides of the aisle. The 5-foot area between the edge of the aisle and the derailer and blue light signal will be a surface that will immediately

dampen the progress of any car that is derailed, so that the car will stop moving before the face of the coupler reaches the aisle. The blue light, derail and red light will all be remotely and automatically controlled from a tower that is within 1,500 feet of the aisle and will have a continuous uninterrupted view of the yard. There will also be a blue light signal and derail across the aisle, 80 feet from the other blue light and derail, in essence providing dual protection for the workmen.

The facility will load and unload ships and intermodal unit trains. In a typical operation, a loaded train will enter the yard from the north, pulling enough cars to fill the first track. The speed limit in the yard will be 5 mph. The locomotive will pull these cars onto the first track, where a cut will be made just before the aisle, and those cars to be unloaded on the north side of the aisle will be set out. The locomotive will then pull the rest of the cars onto the track south of the aisle where they will be set out. The locomotive will then exit the first track, proceed north on the run-around track to the north of the yard and pick-up another cut of cars to fill the second track. This will continue until the incoming train is spotted or all 10 tracks are filled. Excess cars can be spotted in a storage yard northeast of and adjacent to the main yard. During the process, once each cut of cars is set out on the appropriate track, the blue lights and derails will be set.

At that point, from one to four gantry type cranes may be used to unload the railroad cars on any given spur. Tractors will move the trailers or containers either to a storage area, or directly to ships that are berthed at the facility. These tractors will use the aisle as the means of access to and from the yard with both chassis and containers. A similar process will be followed when loading unit trains from a ship or the container storage yard.

APL requests waiver of the 150 foot requirement for the blue lights and derail devices to be used in the center aisle in the yard. Each group of workmen will be protected by blue light signals 80 feet apart across the aisle. Each group of workmen will also be protected by two derail devices. The first will be within 5 feet of the coupling face, and the other will be 80 feet from the first derail device, across the aisle. Workmen will not begin working to load or unload the cars on any given spur until the cars have come to a complete stop and are protected as set out in this waiver request. They will be protected by two blue light signals and by two derail devices.

APL states that it "is working with the Port in the process of designing the yard. One important facet of this design is that workmen be able to work in close proximity to the aisle to increase efficiency. As indicated in the Notice of Proposed Rulemaking, when certain criteria are present, a railroad may safely use different approaches to afford blue signal protection." APL states they will meet those criteria. "First, slow speeds are involved since there is a 5 mph speed limit in the yard. Next, control over the movement of the equipment will be placed in the hands of individuals directly responsible for the people who need to be protected. In the Final Rule, FRA expressed its goal of assuring workers' safety." APL states that "the combination of very low speed, a movement dampening surface, and derails in close proximity to cars that are standing still will limit travel to not more than 5 feet after derailment which is well within FRA's goal to: assure that rolling equipment will not travel more than 50 feet after derailment."

APL states that "the waiver sought by APL will allow construction of a modern and efficient rail yard as part of an intermodal facility at the Port of Los Angeles. By operating with a reduced distance for blue lights and derail devices, APL will be able to fit the yard to the property available. This project will substantially increase the amount of rail business at the Port and in the region. Shorter train movements in the yard will also reduce air emissions in the Port, thereby reducing harm to the environment."

Issued in Washington, DC on February 23, 1995.

**Phil Olekszyk,**

*Acting Deputy Associate Administrator for Safety Compliance and Program Implementation.*

[FR Doc. 95-5689 Filed 3-7-95; 8:45 am]

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## **Federal Transit Administration**

### **Environmental Impact Statement on the North-South Rail Link, Boston, Cambridge and Somerville, MA**

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notice of intent to prepare an Environmental Impact Statement (EIS).

**SUMMARY:** The Federal Transit Administration (FTA) and the Massachusetts Bay Transportation Authority (MBTA) intend to prepare an Environmental Impact Statement (EIS) in accordance with the National

Environmental Policy Act (NEPA) on the proposed rail link connecting North and South Stations in Boston, Massachusetts. The FTA and the MBTA will prepare the EIS so that it also satisfies the requirements of the Massachusetts Environmental Policy Act (MEPA).

This effort will be performed in cooperation with the Massachusetts Highway Department and the Executive Office of Transportation and Construction.

The EIS/EIR will evaluate the following alternatives: A Build alternative consisting of an underground rail link tunnel (with an option of two or four tracks) connecting North and South Stations along the Central Artery alignment, a No-Build alternative, and a Transportation System Management alternative which will be identified during the scoping process. Although the Commonwealth of Massachusetts has elected to pursue the North-South Rail Link corridor within the Central Artery alignment, the FTA is interested in receiving comments regarding whether a rail link along the Congress Street alignment should be included in the Major Investment Study (MIS). Scoping will be accomplished through correspondence with interested persons, organizations, and Federal, State and local agencies, and through public meetings.

**DATES:** *Comment Due Date:* Written comments on the scope of alternatives and impacts to be considered should be sent to the MBTA by April 24, 1995. See **ADDRESSES** below. *Scoping Meeting:* A joint FTA and MEPA public scoping meeting will be held on Tuesday, March 21, 1995 at 2:00 p.m. at the State Transportation Building. See **ADDRESSES** below.

**ADDRESSES:** *Written comments* on the project scope should be sent to Mr. Andrew D. Brennan, Manager of Environmental Affairs, MBTA, 10 Park Plaza, Room 6720, Boston, MA 02116. A *Scoping Meeting* will be held at the following location: State Transportation Building, 10 Park Plaza, Boston, MA 02116.

See **DATES** above.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Beth Mello, Deputy Regional Administrator, Federal Transit Administration, Region 1, (617) 494-2055.

## **SUPPLEMENTARY INFORMATION:**

### **I. Scoping**

The FTA and MBTA invite written comments for a period of 45 days after publication of this notice (See **DATES** and **ADDRESSES** above.) During scoping,